

Attorney Docket No: PB60727-RCE

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Pinto Electronic Mail Date: September 2, 2009

Serial No.: 10/589,474 Group Art Unit No.: 1624

Filed: August 14, 2006 Examiner: Mark L. Berch

For: MEDICAMENTS WITH HM74A RECEPTOR ACTIVITY

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

FILING OF AN INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. §1.97(b)

The attached list of citations on PTO Form 1449 is being submitted under the provisions of 37 CFR §1.56 and §1.97 for consideration by the United States Patent and Trademark Office, prior to the granting of this patent. Their inclusion herein should not, however, be construed as an admission that any particular cited document is effective prior art or that it discloses or renders obvious any aspect of the claimed invention. A copy of each cited document is enclosed, except for those references which are already part of the file-wrapper. This statement is being filed within the time period specified in 37 CFR §1.97(b). No fee is required.

However, in order to reduce duplicative or cumulative submissions listed in accompanying U.S. P.T.O. 1449 Form, Applicants have prepared a summary of corresponding or related U.S. or Foreign Patents and/or Patent Applications to their respective WIPO Publications as indicated below in this Information Disclosure Statement.

In particular, Applicants note the inter-relationship between the following International Patent Application, U.S. and EP Patents as identified below.

| Foreign Patent Document | Corresponding or Related U.S. Patent | Corresponding EP Patent |
|-------------------------|--------------------------------------|-------------------------|
| WO 2000/061583          | US 6,774,130 B2                      | EP 1171442 B1           |

Each of the above documents are cited in the accompanying U.S. P.T.O. 1449 Form.

With respect to the Table below, Applicants point out that while WO 1995/22546 and US 6,780,865 B1 are cited in the U.S. P.T.O. 1449 Form, the following duplicative or cumulative identified U.S. divisional patent application and a U.S. patent are not cited therein.

| Foreign Patent Document | Corresponding or Related U.S. Patents/ Publications |
|-------------------------|---|
| WO 1995/22546           | US 6,780,865 B1                                     |
|                         | US 7,053,096 B2                                     |
|                         | US 2006/211713 A1                                   |

U. S. Serial No.: 10/589,474  
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As the instant application is directed to xanthine compound subject matter, Applicants further point out that the U.S. Patents below, which are related to corresponding identified PCT International Applications, are directed to non-xanthine compounds and were not cited on attached U.S.P.T.O. 1449 Form.

|                       | <b>Corresponding or Related U.S. Patents</b> |
|-----------------------|--|
| WO 1995/22546;        | US 5,801,182 A                               |
| WO 2000/061583; andWO | US 5,804,584 A                               |
| 94/11001              | US 5,807,862 A                               |

Applicants note as PCT International Patent Appln. No. WO 02/068420 ("WO '420 Appln."), also which is cited in the accompanying U.S. PTO 1449 Form, is in the German language, a corresponding CAS STN English language abstract is attached herewith. The WO '420 Appln. is related to the following U.S. Patent Appln. Pub. Nos. US 2004/077645 and US 2006/205711, each of which have been cited in the accompanying U.S.P.T.O. 1449 Form.

| <b>WO Patent Publication</b>                                    | <b>Corresponding U.S. Patent Pub. Nos.</b> |
|---|--|
| WO02/068420 (in German) – English<br>Language Abstract Provided | US 2004/077645                             |
|   | US 2006/205711                             |

Based on the foregoing, as the U.S. patent applications/patents are no longer required to be submitted, copies of these do not accompany this response. Should the Examiner wish copies of these Patents please advise the undersigned at the number indicated below.

Should the Examiner have any questions or wish to discuss any aspect of this case, the Examiner is encouraged to call the undersigned at the number below.

If any additional fees or charges are required by this paper the Commissioner is hereby authorized to charge Deposit account 19-2570 accordingly.

Respectfully submitted,



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